

Jonathan H. Siegel #78143  
 Latika Malkani #184301  
 Sarah Beard #240340  
 SIEGEL & LEWITTER  
 1939 Harrison Street, Suite 307  
 Oakland, California 94612  
 (510) 452-5000  
 (510) 452-5004 (fax)  
 email: jsiegel@sl-employmentlaw.com  
 lmalkani@sl-employmentlaw.com  
 sbarbeard@sl-employmentlaw.com

Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 WESTERN DIVISION

SERVICE EMPLOYEES  
 INTERNATIONAL UNION,

Plaintiffs,

v.

SAL ROSSELLI, JORGE RODRIGUEZ,  
 LORI WYMAN, JOAN EMSLIE, DAVID  
 SHAPIRO, STANLEY LYLES, NANCY  
 EVANS, MARTHA VASQUEZ, ROSIE  
 BYERS, and ROY CHAFFEE,

Defendants.

) Case No. CV08-02777 (JFW)

) **[PROPOSED] JUDGMENT**

) DEMAND FOR JURY TRIAL

Defendants' Motion to Dismiss the First Amended Complaint, for Failure to  
 State a Claim Upon Which Relief Can Be Granted, is GRANTED with respect to  
 all ten defendants, as follows:

Plaintiff's First Claim for Relief, and Second Claim for Relief for violation  
 of section 301(1) of the LMRA, 29 U.S.C. 185(a) are dismissed with prejudice. To  
 the extent Plaintiff's Second Claim for Relief for state-law-breach of contract is  
 based on a contract between labor organizations, it is dismissed with prejudice. To

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1 the extent Plaintiff's Second Claim for Relief for state-law breach of contract is not  
 2 based on a contract between labor organizations, it is dismissed without prejudice.  
 3 Plaintiff's Third Claim for Relief is dismissed without prejudice.

4 The First Amended Complaint is dismissed in its entirety against the ten  
 5 named defendants, namely Sal Rosselli, Jorge Rodriguez, Lori Wyman, Joan  
 6 Emslie, David Shapiro, Stanley Lyles, Nancy Evans, Martha Vasquez, Rosie Byers  
 7 and Roy Chaffee. Having dismissed all claims against all parties in this action, this  
 8 Court thus directs entry of this judgment as a final adjudication of this action.

9 The ten defendants jointly to recover costs as prevailing parties in this  
 10 litigation, subject to filing a timely Notice of Application to the Clerk to Tax Costs  
 11 and a proposed Bill of Costs as required by FRCP Rule 54 and this Court's Local  
 12 Rule 54-3. After costs are taxed, the Clerk shall here note the amount of costs:  
 13 \$\_\_\_\_\_.

14 Any motion or application for attorneys fees shall be served and filed within  
 15 fourteen (14) days after the entry of judgment, in accordance with Local Rule  
 16 54-12.

17  
 18  
 19 Dated: \_\_\_\_\_

\_\_\_\_\_  
 Hon. John F. Walter,  
 United States District Judge

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 28  
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 LeWitter*

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